

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 188

July 10, 1996, 12:35 p.m.
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NATIONAL RIGHT TO WORK ACT/Cloture, motion to proceed

SUBJECT: National Right to Work Act . . . S. 1788. Lott motion to close debate on the motion to proceed.

ACTION: CLOTURE MOTION REJECTED, 31-68

SYNOPSIS: As introduced, S. 1788, the National Right to Work Act, will amend the National Labor Relations Act to prohibit collective bargaining agreements that require new employees to join a union as a condition of employment (under current law, States are permitted, but not required, to bar such contracts).

On June 28, 1996, Senator Lott sent to the desk, for himself and others, a motion to invoke cloture on the motion to proceed to the bill. By unanimous consent, the vote on that motion was scheduled for July 10, 1996.

NOTE: The motion to invoke cloture requires a three-fifths majority (60) vote to succeed.

Those favoring the motion to invoke cloture contended:

This bill will correct a long-standing error in Federal labor law. In 1935, Congress passed the Fair Labor Standards Act, which protected the right of Americans to join unions. It also protected the right of Americans not to join unions. However, this second right was nullified by a third provision that permitted unions to negotiate "union security" clauses. Such clauses forbid companies from hiring workers who do not join the union. Thus, saying that workers did not need to join a union was an empty right, because in order to exercise it one could not work. Congress enacted a partial fix in 1947 when it passed the Taft-Hartley Act, which gave States the option of forbidding union security clauses. Many States have exercised that option, but in the rest it is still common for people to be forced to join unions and to pay union dues as a condition of employment because of "union security" clauses that were negotiated and enacted without any involvement or agreement on their part. Many of us who support this bill are former union members. We have no problem with people voluntarily joining unions, and we have no problem with union members negotiating contracts to benefit whomever they please. We strongly object, though, to people being forced to join unions and to pay dues as a condition of getting a job. Americans' right to work is being violated by this requirement. This bill will ban union security clauses. We urge Senators to

(See other side)

YEAS (31)			NAYS (68)			NOT VOTING (1)	
Republicans (31 or 60%)	Democrats (0 or 0%)		Republicans (21 or 40%)	Democrats (47 or 100%)		Republicans (1)	Democrats (0)
Bennett	Inhofe		Abraham	Akaka	Inouye	Cochran ²	
Brown	Kempthorne		Ashcroft	Baucus	Johnston		
Burns	Kyl		Bond	Biden	Kennedy		
Coats	Lott		Campbell	Bingaman	Kerrey		
Coverdell	Lugar		Chafee	Boxer	Kerry		
Craig	Mack		Cohen	Bradley	Kohl		
Faircloth	McCain		D'Amato	Breaux	Lautenberg		
Frahm	Nickles		DeWine	Bryan	Leahy		
Frist	Pressler		Domenici	Bumpers	Levin		
Gramm	Shelby		Gorton	Byrd	Lieberman		
Grassley	Simpson		Grams	Conrad	Mikulski		
Gregg	Smith		Hatfield	Daschle	Moseley-Braun		
Hatch	Thomas		Jeffords	Dodd	Moynihan		
Helms	Thompson		Kassebaum	Dorgan	Murray		
Hutchison	Thurmond		McConnell	Exon	Nunn		
	Warner		Murkowski	Feingold	Pell		
			Roth	Feinstein	Pryor		
			Santorum	Ford	Reid		
			Snowe	Glenn	Robb		
			Specter	Graham	Rockefeller		
			Stevens	Harkin	Sarbanes		
				Heflin	Simon		
				Hollings	Wellstone		
					Wyden		

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

join us in invoking cloture on, and passing, this bill.

Those opposing the motion to invoke cloture contended:

S. 1788 is yet another in a series of anti-labor bills that we have been asked to vote on this Congress. Most States have not banned union security clauses because doing so harms unions. When workers, through a democratic process, vote to be represented by a union, new workers should be bound by that vote. When workers are able to get benefits from collective bargaining agreements without having to pay union dues, to go on strike, or to suffer any other hardship, many do so, and unions lose some of their strength. It is unfair to union members to allow other workers to get union benefits without doing anything to earn them. Therefore, we strongly favor union security clauses, and urge our colleagues to reject the motion to invoke cloture.